IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.3528 OF 2005

IN

APPEAL (L) NO.1080 OF 2005

AND

APPEAL (L) NO.1080 OF 2005

...

Sai Shipping Co.Pvt.Ltd. ...Appellant

v/s.

Admans International & ors. ...Respondents

...

Ms.Anvee Mehta i/b Yusuf & Associates for the Appellant.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 19TH JULY, 2007

P.C.:

Heard the learned Counsel for the Appellant. We find that by the impugned order the learned single Judge has passed a decree under Order VIII Rule 5 of the CPC in the absence of written statement. The Defendant did not file written statement though the suit was pending before the court for last 20 years. We do not see any illegality in the order. Motion and Appeal are , therefore, disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)